

Local Criminal Notice of Appeal Form.

NOTICE OF APPEAL
United States District Court

Southern District of New York

S.D.N.Y.

United States of America v.

Docket No.: 07 Cr. 1095 (SAS)

Alexander Concepcion

Shira A. Scheindlin

(District Court Judge)

United States of America

Notice is hereby given that _____ appeals to the United States Court of Appeals for the Second

Circuit from the judgment [_____], other [X] order suppressing evidence obtained pursuant to a 7/20/2007 authorization to intercept electronic communications
(specify)

entered in this action on July 1, 2008

(date)

Offense occurred after November 1, 1987

Yes

[]No []This appeal concerns: Conviction only []Sentence only []Conviction and Sentence []

July 29, 2008

Date July 29, 2008 TO Martin S. Cohen
 Federal Defenders of New York, Inc. (NYC)
 52 Duane Street, 10th Floor
 New York, NY 10007
 (212)-417-8737

Address United States Attorney's Office, SDNY
 One St. Andrew's Plaza
 New York, NY 10007
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ADD ADDITIONAL PAGE (IF NECESSARY)

TO BE COMPLETED BY ATTORNEY

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ATTORNEY'S SIGNATURE William J. Harrington

DATE

7/29/08

► COURT REPORTER ACKNOWLEDGMENT	To be completed by Court Reporter and forwarded to Court of Appeals.	
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

CERTIFICATION

UNITED STATES OF AMERICA :
- v. - : 07 Cr. 1095 (SAS)
ALEXANDER CONCEPCION, :
a/k/a "Alex Concepcion," :
Defendant. :
- - - - - x

Pursuant to 18 U.S.C. § 3731, I hereby certify that the Government's appeal of the order of the District Court dated June 30, 2008, and entered on July 1, 2008 (the "July 1 Order"), granting the defendant's motion to suppress evidence obtained pursuant to a July 20, 2007 order that had authorized the interception of electronic communications, is not taken for purpose of delay, and that the evidence suppressed pursuant to the July 1 Order is a substantial proof of a fact material in the proceedings.

Dated: New York, NY
July 29, 2008

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: /s/ William J. Harrington
William J. Harrington
Assistant United States Attorney

William J. Harrington